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BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

PAID T.R.A.

Chk # 379171

Amount 25.00

Rcvd By JP

Date 8-9-04

T.R.A. DOCKET ROOM

IN RE: PETITION FOR EXPEDITED )  
REVIEW OF GROWTH CODE DENIAL )  
BY THE NUMBER POOLING )  
ADMINISTRATION RELATING TO )  
ST. MARY'S HOSPITAL )

DOCKET NO. 04-00254

**PETITION OF CITIZENS TELECOMMUNICATIONS OF  
THE VOLUNTEER STATE, LLC FOR EXPEDITED  
REVIEW OF CENTRAL OFFICE CODE DENIAL**

Citizens Telecommunications of the Volunteer State, LLC ("Citizens"), pursuant to rules adopted by the Federal Communications Commission for challenging determination of the Number Pooling Administrator ("Neustar"), petitions the Tennessee Regulatory Authority for an expedited review of NeuStar's denial of Citizens application for use of central office code numbering resources in the 865 area code.

1. Citizens is a competitive, local exchange carrier providing telecommunications services in Tennessee under the jurisdiction of the Tennessee Regulatory Authority.
2. NeuStar is an independent, non-government entity that is responsible for administering and managing numbering resources in pooling areas. See C.F.R. § 52.13 (a) and (b).
3. On March 31, 2000, the Federal Communications Commission issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104" or the "March Order"). On December 29, 2000, the FCC issued its Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200 ("FCC 00-249" or the "December Order"). These FCC

orders addressed issues and strategies relating to the efficient use of numbering resources.

4. In FCC 100-104 and FCC00-249, the FCC announced rules and sought comments in an effort to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of the existing telephone numbers and to slow further exhaustion of existing numbers under the North American Numbering Plan.
5. Among other things, FCC 00-14 adopted a revised standard for assessing a carrier's need for numbering resources by requiring carriers to report rate center based utilization to NeuStar. The FCC further required that to qualify for access to new numbering resources, applications must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application.
6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also require carriers to meet a rate center utilization threshold of 60 percent to receive additional numbering resources in a given rate center. FCC 00-249 at ¶¶22; FCC 01-362 ¶¶50-52. The utilization threshold increases by five percent per year until it reaches a maximum 75 percent. Based on the FCC's orders, carriers must meet both the six-month MTE requirement and the utilization threshold on a rate center basis to obtain additional number resources. *Id.* ¶¶29.
7. On August 5, 2004, Citizens submitted a Central Office Code (NXX) Assignment Request for the assignment of NXX resources necessary to meet the telephone number needs of St. Mary's Hospital. This application is attached hereto as Exhibit A.

8. The assignment request made on behalf of St. Mary's Hospital was for 4,000 sequential telephone numbers in the 865 area code. Citizens currently has 1000 consecutive numbers available, however the is unable to use these numbers for the customer. St. Mary's Hospital has an immediate need for 4,000 consecutive numbers in a new NXX, preferably using the 1x, 4x, 5x, and 7x thousand groups to support new a new hospital expansion and doctors offices.
9. Based on the Powell Rate Center data that was used to calculate Citizens MTE, Citizens numbering resources would exhaust in approximately 12 months.
10. While Citizens MTE is 12 months, Citizens is currently operating at a 72.8% utilization rate. Despite this current level of utilization, Citizens is unable to provide the requested 4,000 numbers through the switch that would serve St. Mary's Hospital & Fitness within the Powell rate center.
11. On August 5, 2004, Citizens request was denied on the grounds that Citizens did not met the utilization threshold required in the Central Office Code (NXX) Guidelines. This decision is attached hereto as Exhibit B.
12. As results of the denial of Citizens request for additional numbering resources, Citizens is unable to provide the telecommunications services requested by its customer in Tennessee.
13. Under previous procedures used by the North American Numbering Plan Administration ("NANPA"), waivers or exceptions were typically granted in any case where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under existing procedures, however, NeuStar looks at the MTE criteria and utilization

threshold for the rate center and allows no exceptions. By refusing to consider the circumstances of each case, NeuStar's procedure may result in decisions contrary to the public interest and decisions that do not necessarily preserve the efficient use of telephone numbers or postpone dates of exhaust.

14. Citizen's inability to provide this large business customer with the requested numbers in a new NXX prevents Citizens from providing the quality of service this customer desires and expects. (Correspondence from St. Mary's Hospital & Fitness is attached as Exhibit "C").
15. Both the FCC Order and NeuStar's Central Office Code (NXX) Guidelines provide that state regulatory authorities have the power and authority to review NeuStar's decision to deny a request for numbering resources. *See* FCC 01-362, Appendix A, Final Rules, § 15.15(g)(4).
16. This Authority has previously received similar requests from BellSouth Telecommunications, Inc. in which BellSouth asked the Authority to overrule a decision of NANPA and NeuStar. *See* Docket 03-00482 and Docket 03-00591. In both cases, the Authority granted BellSouth's request. State commissions in North Carolina, Florida, and Louisiana have also granted such request from BellSouth and from US LEC.
17. Citizens seeks the Authority's review of NeuStar's decisions to withhold numbering resources from it on the grounds that the CO Code Administration database (1) violates the rules and orders of the FCC which grant carriers access to numbering resources to meet specific customer demands upon a sufficient showing of need and (2) interferes with Citizens ability to serve its customers within Tennessee. As the FCC has stated, "Under no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of

their choice for want of numbering resources” FCC 00-429 at ¶61. By refusing to grant numbering resources sufficient to meet St. Mary’s Hospital and Fitness needs, the decision is preventing the customer from obtaining the service of its choice from its carrier of choice, Citizens.


**Relief Sought**

For these reasons, Citizens requests that the Authority review the decision of NeuStar to denying Citizens request for additional numbering resources and direct NeuStar to provide numbers to meet the specific requirements of St. Mary’s Hospital & Fitness in Powell, Tennessee.

Respectfully submitted,

Citizens Telecommunications Company of  
the Volunteer State.

By

  
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# Pooling Administration System

 [connie wray@frontiercorp.com \(SP\)](#)

[Sign Out](#)

## Months to Exhaust and Utilization Certification Worksheet - TN Level

Date **Friday, August 6, 2004**

OCN **0577**

Company Name **CITIZENS TELECOM-VOL ST DBA FRONTIER VOL STATE**

Rate Center **POWELL**

List all Codes NPA(s)-NXXs and Blocks  
NPA(s)-NXX-X(s)

865-362-0X-9X, 865-938-0X-9X, 865-947-0X-9X

Name of Block Applicant **Ms Connie Wray**

Title **Engineering Support Analyst**

Telephone Number **(585) 777-5241**

Fax Number **(585) 423-9314**

E-Mail **connie.wray@frontiercorp.com**

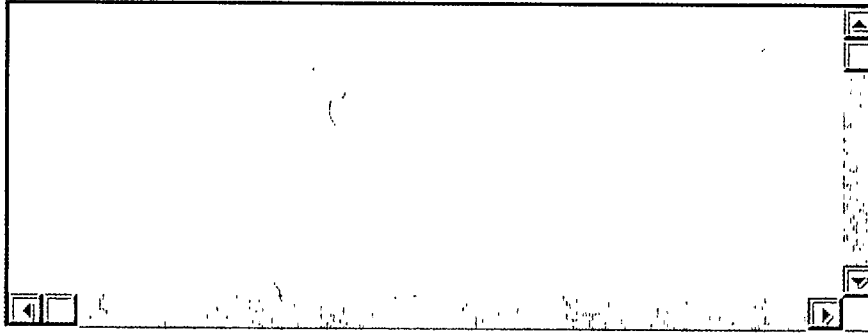
A Available Numbers \*

B Assigned Numbers \*

C Total Numbering Resources \*

D Quantity of numbers activated in the  
past 90 days and excluded from the  
Utilization calculation \*

List excluded Code(s) or Block(s)



E Growth History - Previous 6 months<sup>2</sup> \*

Month 1	28	Month 2	102
Month 3	39	Month 4	114
Month 5	39	Month 6	753

F Forecast - Next 12 months<sup>3</sup> \*

Month 1	180	Month 2	180
Month 3	180	Month 4	180
Month 5	180	Month 6	180
Month 7	180	Month 8	180
Month 9	180	Month 10	180
Month 11	180	Month 12	180

G Average Monthly Forecast (Sum of months # 1-6 (Part F above )  
divided by 6)

**180.000**

H Months to Exhaust<sup>4</sup> (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	8906	49.478
2	9906	55.033
3	10906	60.589
4	11906	66.144

I Utilization<sup>5</sup>(Assigned Numbers (B)) / (Total Numbering Resources (C) -  
Excluded Numbers (D)) \* 100

**70.313**

Explanation

We have a customer request for 4000 DID numbers

- 1 A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
- 2 Net change in TNS no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
- 3 Forecast of TNS needed in each following month, starting with the most recent month as Month #1
- 4 To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii))
- 5 Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Continue

# Pooling Administration System

 [connie wray@frontiercorp.com \(SP\)](#)

[Sign Out](#)

## Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Your utilization calculates to **70.313 percent**, while your State requires a utilization of **75.000 percent**

**Select One Option and Submit**

- ☐ Return to the Months To Exhaust Form
- ☐ Discard all the information provided for the request and start with a fresh Part 1A
- ☐ State Waiver Option

**Submit**



900 E Oak Hill Avenue  
Knoxville, TN 37917  
865 545 8000

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St Mary's Medical Center  
900 E Oak Hill Avenue  
Knoxville, TN 37917  
865 545 8000

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St Mary's Jefferson  
Memorial Hospital  
110 Hospital Drive  
Jefferson City, TN 37760  
865 471 2500

St Mary's Medical Center  
of Campbell County  
919 E Central Avenue  
LaFollette, TN 37766  
423 907 1200

To:Frontier Communication

St Mary's Health System request from Frontier Communication 4000 DID numbers and that they be consecutive and in the same NXX Also we need these DID's within 30 days

A handwritten signature in black ink that reads 'Tammy Lakins'.

Tammy Lakins  
Regional Director Information Technology

Jefferson Memorial Foundation  
110 Hospital Drive  
Jefferson City, TN 37760  
865 471 2500

St Mary's Ambulatory Surgery Center  
1515 St Mary's Street  
Knoxville, TN 37917  
865 546 5075

St Mary's Foundation  
900 E Oak Hill Avenue  
Knoxville, TN 37917  
865 545 7690

St Mary's Health & Fitness Center  
7540 Dannaher Lane  
Knoxville, TN 37849  
865 938 5015

St Mary's Holston Health & Rehab  
3916 Boyds Bridge Pike  
Knoxville, TN 37914  
865 524 1500

St Mary's HomeCare Services  
5411 Fountain Road, Suite 200  
Knoxville, TN 37918  
865 545 3500

St Mary's Residential Hospice  
7447 Andersonville Pike  
Knoxville, TN 37938  
865 925 5500

npa	nxx	thousand grp	working	temp disc	intercept	reserved	bus hold	res hold	prot res	available	% inuse
865	362	0	0	0	0	0	0	0	0	1000	
865	362	1	1000	0	0	0	0	0	0	0	
865	362	2	1000	0	0	0	0	0	0	0	
865	362	3	1000	0	0	0	0	0	0	0	
865	362	4	500	0	0	0	0	0	0	500	
865	362	5	259	1	0	0	0	0	0	740	
865	362	6	600	0	0	0	0	0	0	400	
865	362	7	315	0	0	0	5	0	0	680	
865	362	8	130	0	0	0	0	0	0	870	total
865	362	9	0	0	0	0	0	0	0	1000	4810
865	362 Total		4804	1	0	0	5	0	0	5190	48%
865	947	0	543	4	0	4	13	60	0	376	
865	947	1	551	2	0	5	15	58	0	369	
865	947	2	767	2	0	7	17	67	0	140	
865	947	3	780	2	0	6	21	86	0	105	
865	947	4	777	3	0	6	19	83	0	112	
865	947	5	774	2	0	6	22	86	0	110	
865	947	6	769	1	0	7	16	78	0	129	
865	947	7	765	1	0	11	8	73	0	142	
865	947	8	470	0	0	6	10	47	0	467	total
865	947	9	634	1	0	8	17	65	0	275	7775
865	947 Total		6830	18	0	66	158	703	0	2225	78%
865	938	0	710	3	0	21	32	94	0	140	
865	938	1	766	1	0	2	9	79	0	143	
865	938	2	769	3	0	14	32	73	0	109	
865	938	3	763	2	0	46	20	74	0	95	
865	938	4	753	4	0	10	21	112	0	100	
865	938	5	645	1	0	7	28	84	0	235	
865	938	6	754	5	0	7	15	97	0	122	
865	938	7	715	2	0	11	23	98	0	151	
865	938	8	713	3	0	10	11	90	0	173	total
865	938	9	667	4	0	8	16	82	0	223	8509
865	938 Total		7255	28	0	136	207	883	0	1491	85%